

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**VS.**

**EMILIO PINA-HERNANDEZ,**

**Defendant.**

**8:08CR385**

## ORDER

This matter is before the court on defendant's fourth motion to continue trial (Doc. 33). The record shows that the defendant's trial was initially set for December 23, 2008 and the defendant has been granted several continuances, amounting to 98 days. The court finds that the defendant has not shown good cause for a further continuance and that the motion should be denied.

**IT IS ORDERED** that defendant's Motion to Continue Trial (Doc. 33) is denied. The trial of this matter remains scheduled for March 31, 2009.

Pursuant to [NECrimR 57.2](#), a party may appeal this order by filing an "Appeal of Magistrate Judge's Order" within ten (10) business days.

**DATED March 20, 2009.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**